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6 Attorneys for Defendant
7 MID CAL PLASTERING, INC. dba QUALITY
PLASTERING CORP.

8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA

10
11 HABNER YOEL GARCIA FLORIAN,
12 Plaintiff,
13 vs.
14 MID CAL PLASTERING, INC. dba
15 QUALITY PLASTERING CORP.,
16 Defendants.

CASE NO. C08-05751 RMW(HRL)

**STIPULATION RE: ARBITRATION;
[PROPOSED] ORDER COMPELLING
ARBITRATION AND DISMISSING
ACTION WITHOUT PREJUDICE**

Ctrm.: 6
Judge: Hon. Ronald M. Whyte

17
18 IT IS STIPULATED by the parties, Plaintiff HABNER YOEL GARCIA
19 FLORIAN and Defendant MID CAL PLASTERING, INC. dba QUALITY
20 PLASTERING CORP., by and through their respective attorneys below, as follows:

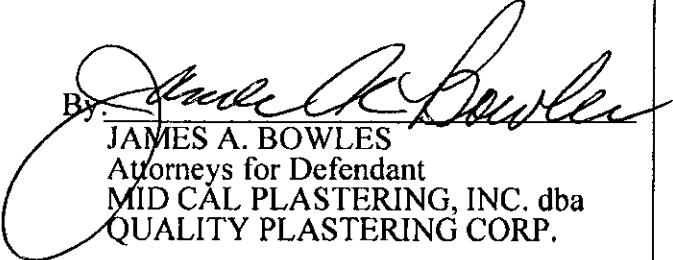
21 1. This action shall be dismissed without prejudice.
22 2. Plaintiff and Defendant are parties to a written agreement to arbitrate, the
23 Mutual Arbitration Policy and Employee Agreement to Arbitrate dated June 19, 2006.
24 Pursuant to this Agreement and the Federal Arbitration Act, Plaintiff will submit any and
25 all claims that arise out of or relate to this action, as alleged in the Complaint, or his
26 employment with Defendant to final and binding arbitration as required by the terms of
27 the written agreement to arbitrate.

1 IT IS SO STIPULATED.

2 Based on the above Stipulation, the parties now jointly apply for and consent to
3 entry by the Court of an Order dismissing the action without prejudice and compelling
4 arbitration in the form proposed below.

5
6 DATED: March 11, 2009

HILL, FARRER & BURRILL LLP

7 By: 

8 JAMES A. BOWLES
9 Attorneys for Defendant
10 MID CAL PLASTERING, INC. dba
11 QUALITY PLASTERING CORP.

12 DATED: March 11, 2009

LAW OFFICES OF TOMAS E.
13 MARGAIN

14 By: 

15 JACOB SIDER
16 Attorneys for Plaintiff
17 HABNER YOEL GARCIA FLORIAN

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C08-05751 RMW

